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REMARKS

Claims 6-10 are pending and stand rejected as indefinite under Section 112. Claims 6, 7, and 10 also stand rejected as obvious over U.S. Patent No. 4,397,391 (Cornelissens) in view of DE 295 09 593 (DE '593), and claims 8 and 9 stand rejected as obvious over Cornelissens in view of DE '593 and U.S. Patent No. 4,180,164 (Durden). For the reasons that follow, these rejections should not be maintained against the claims as amended.

Rejections under Section 112

Claim 6 was found deficient under the second paragraph of Section 112 for reciting exemplary contents of the claimed package in the preamble. The offending language, and so this ground for rejection, has been removed. The deleted passage recited no element of the claimed apparatus, so its removal from the claim raises no issues new matter, description, or enablement.

It also was alleged that no antecedent basis appears in claim 6 for "the opposing side walls." Applicants respectfully disagree. These elements are introduced earlier in the claim in the passage, "said wrapping having two side walls being parallel to the transverse seams of the film packs and opposing one another at a predetermined distance" Applicants submit that "two side walls . . . opposing one another" is a sufficiently definite basis for a later recitation of "the opposing side walls." For

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this reason this ground of rejection should not be maintained.

Rejections under Section 103

Cornelissens U.S. 4,397,391 is directed to an improved package for powdered or granular detergents. It discloses a means to protect the seams of rectangular bags having sealing edges, which are not permanently sealed, from premature opening by arranging the film bags in the outer pack in such a way that the seams are folded over their entire width at the transition of the bag from the film seam to the product (page 3, lines 38 to 46 and Figs. 1 to 3). The seams are thus protected from premature opening during transportation. The granular product contained in the bag directly contacts the outer pack owing to the manner in which the seams are folded directly against the wall of the outer pack.

DE-U-295 09 593 describes a film bag for tablets, but does not disclose the arrangement thereof in an additional outer pack. The problem addressed by DE-U-295 09 593, as explicitly stated in its description, is to provide a resealable package after removal of one or more tablets, to protect the remaining tablets from exposure to, for example moisture. There is no discussion of how to protect the tablets from mechanical degradation.

Neither does Cornelissens address the problem solved by the present invention, which is to preserve the structural integrity of frangible solid detergent tablets

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within a pack during storage and handling. The detergent powders or granules contained in the sachets of Cornelissens are deformable and not subject to breakage like the frangible detergent tablets of applicants' claims. Breakable tablets are damaged by stresses that occur during transportation. Edge breakage and powdered abrasion of the product are typical defective features. At least, a person of skill in the art would not ask this question when using the pack of Cornelissens, as the product used therein is powdered or granular.

Thus, neither Cornelissens nor DE-U-295 09 593 discloses any objective motivation to one of skill to combine their features as alleged in the rejection. Moreover, even if one were to combine the pack of U.S. 4,397,391 with the teaching of DE-U-295 09 593, one would not arrive at the pack of the invention. Rather, if one arranged the film bags of DE-U-295 09 593 in an outer pack in the manner described in Cornelissens, i.e. in such a way that their sealed seam ends are folded directly against the bag contents, the contents of the bags would rest on the inner wall of the outer pack, and so the packed tablets would rest directly on the inner wall of the outer pack. A packaging system of this type would lack the feature of shock absorption provided by the invention, exposing the frangible contents to impact-like or compressive loads acting on the outer pack. For this reason, too, combining Cornelissens with DE-U-295 09 593 does not render claims 6, 7, or 10 obvious.

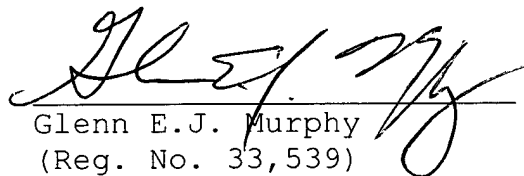
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Claims 8 and 9 have also been rejected over Cornelissens and DE-U-295 09 593 further in view of U.S. 4,180,164 (Durden). While Durden does disclose the use of cardboard inserts to reinforce a package, its teachings provide no remedy for the deficiencies of Cornelissens and DE-U-295 09 593 discussed above. For this reason, the rejection of claims 8 and 9 under Section 103 should not be maintained.

CONCLUSION

In view of the amendments and arguments above, applicants respectfully ask for reconsideration and allowance of the claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully submitted,



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